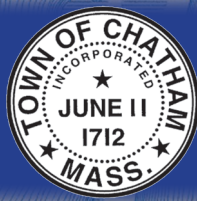


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Town of CHATHAM Committee Handbook

Committee Handbook

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BOARD OF SELECTMEN CHATHAM, MASSACHUSETTS

Welcome!

Legions of volunteers have served in our Town's government over the past 300+ years. Their many contributions are reflected today in Chatham's remarkable culture, heritage and character.

Through voluntary service as an appointed member of a board, committee, commission or council, citizens like you gain the opportunity to directly help the Town meet its current challenges and also address its future needs and goals.

This handbook is offered as an informational aid to all members of Town boards, committees, and councils appointed by the Board of Selectmen, plus those appointed by the Moderator or Town Meeting. For purposes of brevity, the term "committee" is generally used herein as an umbrella term in place of boards, committees, commissions or councils.

The handbook provides a general description of procedures and summaries of important state statutes that govern the conduct of committees* and their members, such as the Open Meeting Law and the Conflict of Interest Law (also known as the State Ethics Act). Official full-text versions of these and other governing by-laws may be accessed through links embedded in the Town of Chatham website. The Town website also offers links to important documents such as the Town Charter, Town Bylaws, plus the minutes and video recordings of past committee meetings.

The Town Manager, through the Board of Selectmen, may periodically schedule Information Meetings at which committee members may consult Town Counsel and ask questions pertaining to the Open Meeting Law, Conflict of Interest Law, Public Records Law, or other laws that may affect participation and procedure.

Volunteers who serve on our committees are an essential part of running an effective and efficient local government. We hope it is also an informative and rewarding experience.

The Board of Selectmen is deeply grateful to all who are willing to serve as a volunteer member of the government of the Town of Chatham!

Approved by the Chatham Board of Selectmen April 12, 2016

Jeffrey S. Dykens, Chair
Timothy L. Roper, Vice Chair
Cory J. Metters, Clerk
Seth T. Taylor, Member
Dean P. Nicastro, Member

Overview: Our Town Government Structure in Brief

The Town of Chatham has operated under an Open Town Meeting form of government since its incorporation in 1712.

Then, as now, all legislative powers of the Town are vested in Town Meeting, a deliberative body open to all voters registered in the Town. The presiding officer of Town Meeting is the Town Moderator, elected by a direct vote of the citizens. And for 300+ years, executive authority has rested with an elected Board of Selectmen.

The Board of Selectmen originally consisted of three elected members who served full-time as the executive authority and also had direct responsibility for the daily management of the Town. Many Town department heads and committee members were also directly elected.

A significant change occurred when Town Meeting adopted a new Home Rule Charter in 1995.

Under today's Chatham Home Rule Charter, executive authority of the Town is vested in the five-member, part-time Board of Selectmen, which serves primarily as the chief policy-making body of the Town. Each Selectman is elected at-large and each serves a term of three years.

The Charter authorizes the Board of Selectmen to appoint Town Counsel, the Registrars of Voters, and Election Officials. To administer and implement its policies and aid the Board in its official duties, the Board of Selectmen appoints a Town Manager who is responsible for day-to-day management of the Town, its departments and employees.

The Board of Selectmen also appoints citizen volunteers to serve as members of boards, commissions, councils or committees. All appointed committee members must follow the general policies set by the Board of Selectmen and implemented by the Town Manager.

Broadly speaking, there are two categories of committees:

Statutory Boards and Committees

State statutes outline the powers and duties of statutory committees, some of which are more commonly known in Chatham as "regulatory boards." Town bylaws and the Board of Selectmen may further define the work of these committees.

Although the Board of Selectmen reserves the right to make exceptions, an individual who accepts appointment to one regulatory board will not be appointed by the Board of Selectmen to any other regulatory board. However, members of regulatory boards may be appointed to concurrently serve on advisory and other committees at the discretion of the Board of Selectmen.

Advisory and Other Committees

Advisory committees aid the Board of Selectmen in the performance of its duties to the public. All appointed committee members serve at the discretion of the Board of Selectmen. The Board of Selectmen prepares the charge, sets the number of members and the length of their terms, interviews and approves applicants for membership, and receives the reports and recommendations of the committee.

Presented on the facing page is a chart of Town committees and boards, identifying name, number of members, length of term and committee type.

Committee Name	Membership	Term Length	Type	MGL. Chapter
Ad Hoc Shared Resources Golf Committee	5	UWC ⁽¹⁾	Temporary	
Affordable Housing Committee	7	3 years	Advisory	
Affordable Housing Board of Trustees	5 BOS + 2	3 years	Statutory (R) ⁽²⁾	Ch 44 Sec 55C
Airport Commission	7	3 years	Statutory	Ch 90 Sec 51E
Aunt Lydia's Cove Committee	7	3 years	Advisory	
Bikeways Committee	7	3 years	Advisory	
Board of Assessors	3	3 years	Statutory	Ch 41 Sec 24
Board of Health	5	3 years	Statutory	Ch 111 Sec 26Yes
Board of Selectmen ⁽³⁾	5	3 years	Elected	
Cable Advisory Committee	3	3 years	Advisory	
Cemetery Commission	3	3 years	Statutory	Ch 114 Sec 22
Charter Review Committee ⁽⁴⁾	7 + 2 Alternate	UWC	Statutory	Ch 43B Sec 10
Committee for the Disabled	7 + 2 Associate	3 years, 1 year	Advisory	Ch 40 Sec 8J
Community Preservation Committee	7 Reps + 2 at-Large Members	3 years	Statutory	Ch 44B Sec 5
Conservation Commission	7 +3 Associates	3 years, 1 year	Statutory (R)	Ch 131 Sec 40
Council on Aging Board of Directors	7	3 years	Statutory	Ch 40 Sec 8B
Chatham Cultural Council	15	3 years 2	Statutory	Ch 10 Sec 58
Economic Development Committee	7	3 years	Advisory	
Energy Committee	5	3 years	Advisory	
Finance Committee ⁽⁵⁾	9	3 years	Statutory	Ch 39 Sec 16
Golf Advisory Committee	5	3 years	Advisory	
Historic Business District Committee	5 + 2 Alternates	3 years, 1 year	Statutory (R)	Ch 40C Sec 4
Historical Commission	7 + 2 Alternates	3 years, 1 year	Statutory (R)	Special Acts of 1985 Ch 641 & Special Acts of 2003 Ch 113
Human Services Committee	9	3 years	Advisory	
Independence Day Parade Committee	8	3 years	Advisory	
Land Bank Open Space Committee	5 + 2 Alternates	3 years, 1 year	Statutory	Sess Law Ch 293 1998
Local State Building Code Board of Appeals	5	3 years	Statutory (R)	Ch 143 Sec 100
Monomoy Wildlife Refuge Task Force	5	UWC		
North Beach Advisory Committee	5	3 years	Advisory	
Park and Recreation Commission	5	3 years	Statutory	Ch 45 Sec 2
Planning Board	7	3 years	Statutory (R)	Ch 41 Sec 81A
Public Ceremonies Committee	5	3 years	Advisory	
Railroad Museum Group	13	UWC	Temporary	
Shellfish Advisory Committee	7	3 years	Advisory	
South Coastal Harbor Plan Committee	7	3 years	Advisory	
Summer Residents Advisory Committee	11 + 2 Associates	3 years, 1 year	Advisory	
Traffic Safety Committee	5 + 1 Alternate	UWC	Advisory	
Underground Wiring Review Committee	7	UWC	Advisory	
Water and Sewer Advisory Committee	5	3 years	Advisory	
Waterways Advisory Committee	7	3 years	Advisory	
Zoning Board of Appeals	5 +3 Associates	3 years, 1 year	Statutory (R)	Ch 40A Sec 124

(1) **UWC** indicates a committee has been established with appointed members who serve "Until Work Completed."

(2) Statutory committees appended with **(R)** are considered as regulatory committees in Chatham.

(3) By Charter, the elected Board of Selectmen also serves as the Town Water and Sewer Commissioners.

(4) The Charter Review Committee is appointed every five years by the Board of Selectmen to review and make recommendations to Town Meeting on revisions or amendments to the Town Charter.

(5) The Finance Committee is appointed by the Town Moderator. Finance Committee members may not serve concurrently on any other committee appointed by the Board of Selectmen.

A. BECOMING A COMMITTEE MEMBER

Qualifications for Appointment

All Chatham residents registered to vote in Chatham are qualified to apply for membership on any committee.

Residents employed part-time by the Town may be appointed to Town Advisory Committees, the Council on Aging, or the Cultural Council at the discretion of the Board of Selectmen.

Unless proscribed by state or federal law, persons who own and pay taxes on real property in Chatham, but are legally domiciled elsewhere, are eligible for appointment to Town Advisory Committees, the Council on Aging or the Cultural Council at the discretion of the Board of Selectmen. They are ineligible for appointment to Town regulatory or statutory boards.

Application — the Town Talent Bank

The appointment application process begins with entry of your name and contact information on the Town of Chatham's Talent Bank, maintained by the Executive Secretary to the Board of Selectmen.

An interactive Talent Bank application form is accessible from a main portal page link located on the Town of Chatham Website at: www.chatham-ma.gov. The link is titled "Talent Bank Form – Committee Appointment Form". It allows you to easily complete and submit your Talent Bank application on-line. Printed Talent Banks forms may also be obtained, completed and returned to the Selectmen/Town Manager's office at 549 Main Street in Chatham.

When you submit your Talent Bank application, you are encouraged to also provide a letter of interest or resume that describes your education, occupation or other practical experience, plus name the committee to which you seek appointment.

You may register in the Talent Bank at any time, even when no vacancy exists on your desired committee.

Should such a vacancy occur, you and all other Talent Bank applicants who declared a similar committee preference will be contacted and invited to schedule an interview with the Board of Selectmen.

Registering your interest in the Talent Bank before the Annual Town Election in May ensures you will be invited for an interview in the weeks immediately following the election, when many terms expire and the newly-constituted Board of Selectmen convenes to consider appointments to committees.

Interview with the Board of Selectmen

The Board of Selectmen conducts interviews of all first-time applicants, plus conducts interviews of incumbent members, alternates or associate members of regulatory boards who seek re-appointment. Incumbent members of non-regulatory committees may be interviewed at the discretion of the Board of Selectmen.

Interviews of all applicants are conducted in open public session with the Board of Selectmen. Public notice of the interview must be officially posted at least two business days in advance. The interview session is video-recorded by the Town. The chair or other members of the designated committee may be present to participate in the interview.

You will be contacted by the Executive Secretary of the Board of Selectmen to schedule the most practical date and time for your interview.

Most interviews are scheduled on Tuesday afternoons prior to Board of Selectmen meetings. Immediate notice should be sent if you cannot attend as scheduled; an effort will be made to arrange a new time and date. Should you fail to appear at the appointed hour without notice, any re-scheduling of the interview is at the discretion of the Board of Selectmen.

All five Selectmen are usually present to interview applicants for seats on the Town's regulatory committees. At least two Selectmen will be present for all other interviews.

The Selectmen strive to create a welcoming climate for each interview. Applicants should be prepared to answer general questions for the Board as well as provide information about their experience and qualifications. Fifteen minutes are usually scheduled for each interview, although the actual duration may vary.

The Board of Selectmen does not entertain comments from the public about an applicant during interview sessions.

There are often more candidates than available open seats. If you are not appointed to the desired committee seat, you will be contacted by the Executive Secretary of the Board of Selectmen to determine if you desire to sustain your registration in the Talent Bank and submit to a future interview for a seat on the same committee should a vacancy occur during the year; consider a new interview for an appointment to a different committee; or choose to withdraw your name from the Talent Bank.

Term Length — Full Voting Members

The term of appointment for full voting members to most committees in Chatham is three years, commencing July 1 of a designated year and concluding June 30 of the third year following.

The Board of Selectmen may form special or ad-hoc committees to fulfill short-term assignments or complete other responsibilities. Members appointed to temporary committees will serve until a date designated by Board of Selectmen or until work is completed.

Term Length — Alternate and Associate Members

Alternate and Associate members are appointed for one-year terms. Serving as an alternate or associate member is an excellent way to become familiar with the work of a particular committee before taking on the responsibilities of a full voting member.

Associate and Alternate members are allowed and encouraged to participate in committee deliberations but, as a general rule, have no power to vote. However, Alternates and Associates on certain committees may be called upon by the Chair to vote when certain circumstances arise:

Associate members of the Zoning Board of Appeals and the Summer Residents Advisory Committee may be called upon by the Chair to vote as a full member when a regular member is absent or requests recusal.

Alternate members of the Historic Business District Commission and the Historical Commission may be called upon by the Chair to vote as a full member when a regular member is absent or requests recusal.

Appointment

All appointments require a majority vote of the Board of Selectmen convened in open public session. The nominating motion will specify the name of the proposed appointee and designate the dates on which the term of service will expire.

If for any reason an appointed member leaves a committee before completion of a term, the appointed replacement's term of service will expire on the same date previously assigned to the vacating member.

Reappointment

There is no Charter provision or Board of Selectman policy that sets limits on the number of terms a member may serve on a committee. However, the Commonwealth of Massachusetts requires members of the Chatham Cultural Council to retire after two consecutive three-year terms.

Prior to the designated date of their term's expiration, incumbent members of a committee will receive notification from the Board of Selectmen. The notification requests appointed members to indicate if their desire is to conclude their service at term's end; seek appointment for an additional term on the same committee; or apply for an appointment to a different committee.

A committee member is under no obligation to accept reappointment, nor is the Board of Selectmen obligated to offer reappointment.

Reappointment to an additional term on a committee is based on an evaluation of the citizen's contribution to the committee, the number of applicants seeking appointment, and the discretion of the Board of Selectmen.

All members of regulatory boards who desire reappointment to the same regulatory board are required to apply through the Town Talent Bank for a scheduled interview with the Board of Selectmen.

Incumbent members of committees who seek appointment to a different committee shall also apply through the Town Talent Bank for a scheduled interview with the Board of Selectmen.

Incumbent members of Town Advisory Committees who seek reappointment shall apply for reappointment through the Town Talent Bank; but the scheduling of an interview is at the discretion of the Board of Selectmen.

Resignation

Any member who, for any reason, chooses to resign before a term is complete shall provide immediate written notice of the resignation to the Committee Chairman, the Town Clerk and the Board of Selectmen, and cite the effective date of resignation.

Removal

The Board of Selectmen may remove members of committees at their discretion provided that such removal is accomplished in accordance with statutes, the Chatham Home Rule Charter, and Chatham bylaws.

Appointments to fill vacancies will cover the remaining term of the vacated position.

B. ENROLLMENT AND ETHICS TRAINING

Swearing-in and Compliance

All new and reappointed members, associates and alternates must swear or affirm an oath of office administered by the Town Clerk before they may take a seat or vote in a public meeting of the committee to which they have been appointed.

Members may be sworn by the Town Clerk during normal Town Office business hours or another time amenable to the Town Clerk.

Members will receive from the Town Clerk printed editions of this handbook, the Town Charter, The Open Meeting Law (M.G.L. Chapter 39, Section 23B) and A Summary of the Conflict of Interest Law for Municipal Employees (M.G.L.A. Chapter 268A, Sections 1, 2 and 17-23).

Each appointee is required to sign an Acknowledgement of Receipt of these materials as well as a separate Acknowledgement of Receipt of the Conflict of Interest Law. The Acknowledgement of Receipt of the Conflict of Interest Law is required annually.

Within 30 days of receipt of swearing-in, all enrolled members, associates and alternates are required by state law to complete a State Ethics Online Training course and return a Certification of Completion to the Town Clerk:

(http://chatham-ma.gov/Public_Documents/ChathamMA_BComm/Notice%20to%20Municipal%20Employees.pdf)

On-line links to all of the above documents and the State Ethics Online Training course are available on Town Clerk section of the Town of Chatham website, located on the internet at:

www.chatham-ma.gov/public

C. GENERAL PROCEDURES

Convening, Structure and Management of Meetings

Meetings of Town committees are subject to Massachusetts Open Meeting Law, which influences many of the following guidelines.

The Open Meeting Law applies to every meeting of a quorum of a governmental body if any public business over which the governmental body has jurisdiction is discussed or considered.

A meeting must be held in public even if there will be no vote or decision reached.

The Open Meeting Law does not apply to chance meetings or social gatherings; however, no chance or social meeting can be held to circumvent Open Meeting Law requirements.

A meeting occurs any time a quorum (usually a simple majority) of the members convenes and discusses any public business or policy over which they have some jurisdiction or advisory power.

Depending on a committee's workload, meetings may be held weekly, bimonthly, monthly, or less frequently. A routine regular meeting day, hour, and location should be established whenever possible.

There may be occasions when two or more committees may desire to meet together to conduct business in joint session. This is permissible, but the same Open Meeting Laws governing all regular committee meetings still apply to committees meeting in joint session. Each committee must separately post advance notice of their own meeting date and agenda; each committee must have their own quorum present; and the Chairman of each committee may receive motions or call for votes only from the members of the committee he or she chairs.

Except in cases of emergency, committees should not meet on weekends, major religious or official government holidays. Committees should not meet while Town Meeting is in session, except as necessary to participate in the proceedings of Town Meeting.

Executive Session

Executive Sessions are closed sessions that are permitted only for a very limited number of specified purposes. Unless they are involved in personnel matters or litigation, most appointed committees rarely, if ever, convene in Executive Session.

Notice of an intended Executive Session must be posted by the Chair or other designated member at least forty-eight (48) hours in advance, not including Saturdays, Sundays or legal holidays.

To convene in Executive Session, the committee must first convene in open session, at which the Chair or presiding officer must make a formal motion to enter into Executive Session and announce the general purpose of the Executive Session. The Chair or presiding officer must poll the members of the committee by name, and a majority vote in the affirmative is required to enter into Executive Session.

A more complete explanation of Executive Session procedures is included in the Appendix of this handbook.

Election of Officers

All committees and boards shall annually elect a Chair, Vice-

chair and a Secretary or Clerk.

For newly-formed committees meeting for the first time to elect officers, the individual with senior rank (e.g. the first person appointed by the Board of Selectmen) shall serve as temporary Chair and preside over the nomination and election of officers. It is the responsibility of the newly-elected Chair to notify the Board of Selectmen and the Town Clerk of changes in membership and officers.

Ongoing committees should elect officers at the first meeting held on or after July 1st (the beginning of the fiscal year) or at such time after Town Meeting as is customary.

Responsibilities of Officers

Chairman: As the presiding officer, the Chair schedules the place, date, and time of meeting. The Chair draws up the meeting agendas and ensures meeting notices are officially posted. The Chair presides at all meetings, decides questions of order, calls special meetings, and signs official documents that require the Chair's signature. The Chair has the same rights as other members to offer resolutions, make motions, discuss questions, and vote.

At the onset of meeting, the Chair must request notification from any person, other than members of the press, who intends to make a video or audio recording or transmission of the meeting. A member of the public may record the meeting as long as the Chair and the public are made aware of it. For meetings televised on Channel 18, the chair should announce that the meeting is being broadcast live, recorded for future re-broadcast, and will be made available on the Town website's Channel 18 archives.

Vice Chair: The Vice-Chair assumes all responsibilities of the Chair whenever the latter is absent from meetings, and performs other duties as necessary.

Clerk: The Clerk will read aloud the official notice of a public hearing whenever a committee convenes for a public hearing. The Clerk is also responsible for ensuring that meeting minutes are recorded and, once approved, are filed with the Town Clerk when no Town of Chatham staff member is assigned to capture and record the minutes.

Annual Town Report

Chairmen of appointed committees are annually scheduled to appear and present a progress report to the Board of Selectmen.

Also, and within fifteen (15) days after the close of the calendar year, appointive bodies are required to file a report of their operations which will appear in the Annual Town Report. The formal Annual Report is usually prepared by the Chair or a designee and should report on meetings and members, including changes and any major accomplishments for the year as well as any plans or goals for the year to come.

Agendas

The Agenda is a specific list of items to be discussed at a meeting of the committee. Agendas are usually drawn up by the Chair, often with advice and assistance of the Town Staff Liaison or members of the committee, and posted at least forty-eight hours before the onset of the scheduled meeting.

Once the meeting date and agenda have been posted, only those topics specifically listed on the agenda may be discussed when the committee convenes. The Chair should ensure that discussions, deliberations or any motions made

are within the realm of the posted agenda item.

The Chair should rule as out-of-order any deliberations or discussion that appear to stray beyond the realm of the posted agenda item. If the matter appears of sufficient interest to the members of the committee, or the public, it may be placed on a future meeting agenda.

Motions, Discussion and Voting

Once recognized by the Chair, any member of a committee may make a motion for consideration and action. Motions should be made in the affirmative.

To advance to Discussion of the motion, the motion must be seconded by another member of the committee. Discussion does not proceed if there is no second to the motion.

During Discussion, the Chair will grant each member of the committee the privilege to comment, ask questions or otherwise deliberate on the motion.

Members of the public may be invited to comment on a motion under discussion at the discretion of the Chair. The Chair may set standards and limits for comments received from the public. There is no town bylaw or state statute that requires a Chair to entertain public comment, except as may be required for public hearings as discussed later on in this handbook.

The member who made the motion may withdraw or revise the terms of the motion prior to the Chair's calling of a vote of the committee. The revised wording of the motion requires a second. Any future discussion or public comment of the revised motion is allowed at the discretion of the Chair.

The Chair will call for a vote once the Chair is satisfied that discussion and deliberations are concluded. No votes on motions made in open public session or Executive Session shall be made by secret ballot. All votes taken in Executive Sessions shall be recorded roll call votes and shall become a part of the record of said Executive Session minutes.

A voice vote of "Aye" or "Yes" will be counted in the affirmative. A voice vote of "Nay" or "No" will be counted in the negative. Members who choose to abstain from a vote will declare "Abstain."

A motion is passed or approved only when a simple majority of participating members vote in the affirmative. In the result a tied vote — an equal number of members voting Yes or NO — the motion fails.

NOTE: Some statutes may require a supermajority or other quantum of vote for a decision to be adopted. For example, four (4) votes in favor of a motion would constitute a supermajority on the 5-member Planning Board or Zoning Board of Appeals. For a committee that meets with seven (7) members, such as the Conservation Commission, the favorable vote of five (5) members constitutes a supermajority if all seven members are present. Each committee should consult applicable statutes.

Following the vote, the Chair will announce the number of votes cast in the Affirmative and Negative, note any abstentions, and declare if the motion is approved or has failed.

Posting of Public Meetings

It is the responsibility of the committee to provide timely notice to the Town Clerk of the committee's scheduled public meetings. The Town Clerk maintains a current listing of all posted meetings on the Town Website and on the Town

bulletin board.

By law, notice of an upcoming public meeting of a committee must be posted by the Chair or other designated member at least forty-eight (48) hours in advance, not including Saturdays, Sundays or legal holidays.

The forty-eight (48) hour requirement may be waived if unusual events or circumstances require an emergency meeting, but notice of an emergency meeting must still be posted as soon as reasonably possible prior to the meeting being held.

The electronic posting of public meeting notices is acceptable by law. The Town of Chatham website main portal page provides convenient electronic posting capability through mytowngovernment.org

Posted meeting notices must contain the name of the committee, date, time, meeting location and an agenda which presents the anticipated topics of discussion.

Posted notice of the cancellation of a scheduled public meeting should be made by the Chair or designated member as soon as it becomes evident a cancellation is appropriate.

Meeting Locations

Other than meetings which may require on-site visits elsewhere, public meetings are held in facilities that meet American Disability Act (ADA) requirements and offer audio/video recording capability.

The Town offers suitable meeting rooms at the main Town Offices; the Town Office Annex, the Community Center, the Council on Aging, and the Department of Public Works.

Quorum Requirement

Except as otherwise specified by law, attendance by a majority of the regular members of the committee constitutes a quorum.

A quorum must be present at each public meeting, and a voted decision ordinarily requires the supporting vote of a simple majority of the members present and voting, unless otherwise legally required. Members who attend a meeting by Remote Participation may not be counted in the calculation of a quorum. (See Remote Participation section below.)

If a quorum cannot be achieved, the meeting must disband and no committee business shall be discussed by the members present.

On regulatory boards that permit Alternate or Associate member voting, the Chair may designate an appointed Alternate member or Associate member to achieve a quorum and vote as a full member.

Improper Quorum or Meeting

A "meeting" occurs any time a simple majority of the members gets together, intentionally or by chance, and then discusses or considers any public business or policy over which the committee has some jurisdiction or advisory power.

Under the Open Meeting Law, this constitutes an improper quorum.

A quorum shall not meet in private for purposes of deciding or deliberating toward a decision on public business unless it does so in a valid Executive Session.

Polling of committee members for a decision prior to an open public meeting violates the Open Meeting Law.

Email, Texting, Telephone or Other Communication Technologies

A committee may only conduct administrative business, such as notifying members of a scheduled meeting and agenda, by email or phone. Substantive discussions or deliberations on public business involving a quorum of members that occur via email or telephone or other electronic technologies shall be deemed a violation of the Open Meeting Law.

There is no distinction in law between written and electronic records. The ease by which text or email messages are sent and forwarded may inadvertently facilitate the improper discussion of public policy issues. Boards and committee members should avoid replies to citizens that may become quorum discussions among the members that violate the Open Meeting Law.

Members are also advised that email or text messages written or received in the capacity of a board, committee or commission member are considered public records which must be made available for public inspection in the same manner as hardcopy documents.

Use of one's own computer and personal email accounts for Town business does not exempt such communications.

All electronic mail sent and received at a Town-issued email address is a public record subject to inspection and disclosure and scheduled retention and disposition. Employees and committee members acting in their official capacity should have no expectation of privacy in their use of electronic mail.

Additional guidance on complying with the Open Meeting can be found at:

<http://www.mass.gov/ago/docs/government/oml/oml-guide.pdf>.

Remote Participation

The Board of Selectmen approved an extended trial Remote Participation Policy which allows individual committees to decide if their members may participate in a scheduled public meeting by telephone hook-up, internet technology or other acceptable means, in accordance with the requirements of Massachusetts Open Meeting Law.

In brief, the Remote Participation option allows a committee member to participate and vote in a meeting even when they are unable to attend in person due to personal illness; personal disability; emergency; military service; or geographic distance.

Adoption of the Remote Participation option requires adherence to certain rules and procedures:

- A quorum of members is required to be physically present at the meeting location. Members who participate remotely may introduce and vote on motions, but are not calculated in the composition of a quorum.
- A member who wishes to participate remotely shall notify the chair as soon as possible prior to a meeting to allow the presiding officer to provide at least 24 hour notice to the Information Technology Director to set up the appropriate means of electronic communication at the meeting location.
- Any costs incurred by the member for remote participation shall be borne by the member.
- At the start of the meeting, the chair shall announce the name of any member who will participate remote-

ly and the reason.

- All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

For all rules and procedures governing remote participation, please consult the full Remote Participation Policy statement provided in the Appendix of this handbook.

Conflicts of Interest and Recusal

All members who participate in a public meeting or hearing must be impartial in their judgment and abide by the state's Conflict of Interest law.

A conflict of interest may exist if a committee member can reasonably expect that his or her official conduct will directly result in a financial benefit to the member, the member's family, business associates, employers, or any businesses that the member represents in private life. The Conflict of Interest pamphlet provided to each enrolled member fully explains what constitutes a Conflict of Interest and remedies.

Recusal is the responsibility of the individual member and is not subject to request by members of the committee, or the public. When a committee member recognizes that a potential conflict of interest exists, the member should announce recusal from all participation in the matter, i.e. from discussing, questioning, commenting and voting. The recused member is advised to leave the meeting table or dais during deliberations on the matter to avoid any appearance of exerting undue influence.

It is not necessary for a member to stay away from an entire meeting because he or she has a potential conflict of interest that may cause recusal on one agenda item. The member should plan to attend the meeting and participate in all other agenda items.

Complaint Procedure

Open Meeting Law requires that complaints must first be filed with the committee that is alleged to have committed the violation, prior to filing a complaint with the Attorney General.

The complaint must be filed within 30 days of the alleged violation or within 30 days of the date it should reasonably have been discovered. The complaint must set forth the circumstances which constitute the alleged violation, giving the public body an opportunity to remedy the alleged violation.

For complaints alleging a violation of the Open Meeting Law by a local public body, you must file with the public body and file a copy with the clerk of the city or town where the alleged violation occurred.

If you are not satisfied with the action taken by the public body in response to your complaint, you may file a copy of your complaint with the Attorney General's Office 30 days after filing your complaint with the public body. The Attorney General's Office may decline to investigate a complaint that is filed with the Attorney General's Office more than 90 days after the alleged OML violation, unless an extension was granted to the public body or the complainant demonstrates good cause for the delay.

Conduct at Town Meeting

Effective Town government requires strong and informed citizen participation.

An individual committee member has a right to speak publicly as a private citizen at Town Meeting but should not purport to represent the committee or exercise the authority of the committee unless specifically authorized by that body to do so.

When speaking at Town Meeting as a private citizen, members should refrain from identifying themselves as members of a committee because it may be perceived that they speak for the committee. Members of committees who speak at Town Meeting should clearly state they are expressing views they hold as private citizens.

Record Keeping

Meetings of committees are electronically recorded by camera and audio and digitally archived for viewing on Channel 18, the Town's public information channel, which may be accessed through the Town of Chatham website.

Nevertheless, each committee shall also maintain accurate minutes of its meetings, setting forth at a minimum the date, time, place, members present or absent, the business taken up at the meeting, and all votes or actions taken at each meeting, including executive sessions.

Each committee shall vote to approve the minutes of their previous meeting at their next scheduled meeting and issue the approved minutes to the Town Clerk and all other interested committees within 10 working days of the approval vote.

Adoption of Rules and Regulations

State law permits some statutory committees, such as the Board of Health, Conservation Commission, Planning Board, and Zoning Board of Appeals, to amend or adopt rules and regulations.

Public hearing procedures set forth in state law should be observed when considering and adopting such rules and regulations.

Public Hearings

A public hearing differs from a regular public meeting in that all formal public hearings must be conducted in accordance with Massachusetts General Laws and Town Bylaws.

Those serving on the Board of Selectmen, Planning Board, Zoning Board of Appeals, Historical Commission, Conservation Commission, or the Board of Health will be required periodically to hold a public hearing in accordance with Massachusetts General Laws. Hearings are held for the purpose of gathering information from which to draw a conclusion and reach a decision.

Written hearing notices, the initiation of the hearing and the conclusions of a hearing may have strict legal time limitations that vary with the nature of the hearing and the committee.

Notice of a public hearing should be advertised in a local newspaper and on the Town of Chatham website at least two (2) weeks (14 days) prior to the scheduled hearing date, or as otherwise may be required by law. No such public hearing shall be held on any day on which a state or municipal election, caucus or primary election is held in town.

The Chair, Clerk or other designated person will read aloud the advertised notice of a public hearing. The Chair should clearly state guidelines and presentation time allowances at the outset of the hearing. Detailed minutes must be kept. All questions should be directed to the Chair who, in

turn, may ask for a response from committee members, staff or a member of the public.

Several procedures are common to all public hearings. The Chair or other designated person should run the hearing, and state the guidelines and time allowance, if restricted, before any testimony is given.

All questions should be directed to the Chair who, in turn, may ask for a response from the floor. An important aspect of the hearing process is that a decision must be based on the testimony and evidence submitted at the hearing or, if written, entered into the record at the hearing. The decision must be based on facts and cannot be arbitrary. Information not presented or explored in the public hearing should not be considered. No votes taken at a public hearing may be made by secret ballot.

Access and Use of Town Counsel

Town Counsel is appointed by the Board of Selectmen to provide legal opinions and advice on Town matters. At the direction of the Board of Selectmen, access to Town Counsel is administratively managed by the Town Manager.

The Town Manager periodically schedules Information Meetings at which committee members may consult Town Counsel and ask questions pertaining to the Open Meeting Law, Conflict of Interest Law or other changes of law that may affect committee or board procedure.

Should an appointed committee agree that the legal guidance or opinion of Town Counsel is needed on a matter under deliberation, a formal request should be directed to the Town Manager by the Town Staff Liaison assigned to the committee.

Requests commence with the filing of a "Request for Legal Services" form with the Town Manager (See Appendix D). Both paper and digital submissions of this form are acceptable.

The request submitted to the Town Manager shall include the subject matter of the legal advice requested and any written materials to provide background information for the request. With certain exceptions, questions presented to and advice received from Town Counsel are ordinarily protected by the Town's attorney-client privilege. That information should be labeled as such and segregated in the committee's files to avoid inadvertent disclosure and waiver of the privilege.

Requests for the initiation or defense of litigation require the approval of the Board of Selectmen or by the Chairman of the Board of Selectmen in instances requiring expeditious action by the Town. In either case a written record of the approval will be maintained by the Town Manager.

Board of Selectmen Liaison

Each Selectman is assigned to serve as liaison to several town committees. Personal attendance at a committee's meetings is at the discretion of the assigned Selectman Liaison.

The duties of the Selectmen Liaison are to maintain communication with the assigned committee; review its deliberations and/or minutes; be included in the committee information notices and meeting postings, and keep the Board of Selectmen advised and updated on the committee's progress.

Other than advise on points of procedure, the Selectmen Liaison does not directly participate in or direct the deliberations.

erations of a committee; nor is the Selectman Liaison an ex officio member of the assigned committee.

Should the need arise, the Chair of a committee should contact the Selectman Liaison to arrange a joint session of the committee with the Board of Selectmen. The committee chair may also contact the Chairmen of Selectmen directly.

Town Staff Liaison

The Town Manager may appoint a staff member, often an appropriate department head, to serve as a Town Staff Liaison to a committee.

The Staff Liaison serves as a facilitating resource to the committee, providing institutional knowledge, supporting documents and informed guidance on matters of concern to the committee. The Staff Liaison keeps the Town Manager informed of the body's work and any items of significance which may arise. The Town Staff Liaison does not direct the deliberations of the committee; nor is the Town Staff Liaison an ex officio member of the assigned committee.

Committee requests for the Town Manager to appear at a scheduled public meeting should ordinarily flow through the Staff Liaison or the Board of Selectman liaison.

Staff Support

Some committees have a Town staff person who serves as an administrative assistant. In such cases, the town staff person may record minutes of meetings, prepare and circulate information for meetings and perform other administrative duties.

Use of Town Equipment and Facilities

Each committee is responsible for its own clerical work. However, with advance notice, Town staff can provide assistance in assembly of documents, photocopying, mailings, and other services. Town equipment and facilities may be used for official committee business only. Most committees are assigned a mailbox at the Main Street Town Offices which the Chair should check on a weekly basis.

Committee Expenses

In general, an individual committee does not have an operating budget.

If a committee anticipates a need to expend funds, it can request funds through the Town Manager's office or seek appropriation from Town Meeting. Such a request is subject to a review and evaluation of need, availability of funds, and approval by the Board of Selectmen.

Public Records Law

Massachusetts General Law, Chapter 66 Section 10 gives a right of public access to "public records," which are defined to include any document, regardless of physical form or characteristics, made or received by a public official or employee to serve a public purpose, unless subject to a statutory exemption.

Government records generated, received or maintained electronically, including electronic mail, constitute "public records" under this standard.

Retention and destruction of these records should follow the schedule specified by Massachusetts General Law. No public records should be deleted or destroyed without first consulting the Town Manager.

The Town of Chatham has a current electronic record re-

tention plan approved by the Supervisor of Public Records, which allows committee files to be maintained electronically.

Municipal Employee Definition and Liability

Members of a Town committee (regular, alternate, and associate members) are considered municipal employees, even when they do not receive compensation.

State law generally allows a municipality to indemnify its officials and employees from personal financial loss, due to acts occurring in the course of, within the scope of and during the good faith execution of the municipal employee's employment duties. The Town of Chatham accepted a statutory provision and has purchased various liability insurance policies for this purpose. The statute provides that the town shall indemnify and save harmless municipal officers, elected or appointed, from personal financial loss and expense including reasonable legal fees and costs, if any, in an amount not to exceed one million dollars, arising out of any claim, demand, suit or judgment by reason of any act or omission except an intentional violation of civil rights of any person under any law, if the official at the time of such act or omission was acting within the scope of his official duties or employment.

This indemnification does not protect the employee against a prosecution for violation of the State Ethics Act. Nor may Town Counsel represent an employee facing such an enforcement action by the State Ethics Commission.

Civil Discourse

The Board of Selectmen recognizes the importance of civil discourse at all levels of the government including those who volunteer their time and services on behalf of the Town.

Committees should conduct themselves so as to maintain public confidence in their local government and in the performance of the public trust. They should strive at every meeting to treat every person fairly and with respect. In turn, it is expected that those members from our community attending Town committee meetings will display respect to the public, committee members and Town staff.

Professional respect does not preclude differences of opinion but requires respect for those differences and the people who express them. Everyone should strive for civil discourse on all matters.

Conclusion

We all possess valuable skills, experiences and insights gained from our education, occupations, or from time devoted as active volunteers for community groups or non-profit organizations. Those assets can be of great benefit to Town of Chatham, but municipal service also requires an understanding of additional responsibilities or limits, often defined by law.

This Town of Chatham Committee Handbook provides only a summary description of the distinct responsibilities, code of conduct and unique obligations for citizens who volunteer and accept an appointment on a committee serving the Town of Chatham.

Members are advised to read and understand all statutes governing their municipal service, including the Open Meeting Law, Conflict of Interest Law and the Chatham Home Rule Charter.

The Board of Selectmen thanks you for your commitment and willingness to serve!

Committee Handbook Appendices

— Code of Conduct

— Executive Session

— Remote Participation Policy

— Town Counsel Access Policy

— Town Counsel/Legal Services Request Form

CODE OF CONDUCT FOR MEMBERS OF BOARDS, COMMITTEES & COMMISSIONS

The conduct of members of Municipal Boards, Committees, and Commissions, as well as employees, is regulated by the provisions of Chapter 268A of the Massachusetts General Laws, and enforced by the Massachusetts Ethics Commission. The statute assigns personal responsibility to regular and special municipal employees (including elected and appointed volunteers) in four general areas, as follows:

- A. Community Responsibility
- B. Responsibility to Municipal Administration
- C. Relationship to other Board Members
- D. Prohibited Conduct

A. Conduct Generally and in Relation to the Community

- Be well informed concerning the local and state duties of a board/committee member.
- Remember that you represent the Town of Chatham at all times.
- Accept your position as a means of unselfish public service, not to benefit personally, professionally or financially from your board/committee position.
- Recognize that the chief function of local government at all times is to serve the best interests of all of the people.
- Demonstrate respect for the public that you serve.
- Safeguard confidential information.
- Seek no favor and believe that personal aggrandizement or profit secured by holding these positions is dishonest and/or unlawful.
- Conduct yourself so as to maintain public confidence in our local government.
- Conduct official business in such a manner as to give the clear impression that you cannot be improperly influenced in the performance of your official duties.
- Unless specifically exempted (e.g. Executive Session), conduct the business of the public in a manner that promotes open and transparent government and maintain full compliance with the Open Meeting Law.

B. Conduct in Relation to Your Fellow Committee Members

- Treat all members of the committee with respect despite differences of opinion. Keep in mind that professional respect does not preclude honest differences of opinion, but requires respect within those differences.
- Recognize your responsibility to attend all meetings to assure a quorum and promptly notify the chairman should you for any reason be unable or unwilling to continue to serve. Formal notice to resign from a committee requires written notification to the Town Clerk, the Board of Selectmen and the Chair of the committee you serve.
- Recognize that action at official legal meetings is binding and that you alone cannot bind the committee outside of such meetings.
- Refrain from making statements or promises as to how you will vote on quasi-judicial matters that will come before the board until you have had an opportunity to hear the pros and cons of the issue during a public meeting.
- Uphold the intent of Executive session and respect the privileged communication that exists in executive session.
- Make decisions only after all facts on a question have been presented and discussed.

C. Conduct in Relation to the Town Manager

- Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
- Give the Town Manager full responsibility for discharging his or her disposition and/or solutions.
- Refrain from giving orders or directions to the Town Manager for action as an individual Board member.
- Refrain from giving instructions to or requesting assistance from Town department heads, but rather channel all such activities through the committee and the Town Manager.
- Refrain from providing information to the Town Manager that you would not be willing to share with other committee members.

D. Conduct in Relation to Town Staff

- Treat all staff as professionals and respect the abilities, experience, and dignity of each individual.
- Direct questions of Town staff and/or requests for additional background information through the Town Manager.
- Never publicly criticize an individual employee or a department. Concerns about staff performance should only be made to the Town Manager through private communication.
- Insure that all requests for staff support go through the Town Manager's office.

REASONS FOR CONVENING EXECUTIVE SESSION

State law defines the following as acceptable and lawful reasons for a committee to convene in Executive Session:

- To discuss the reputation, character, physical condition or mental health - rather than professional competence - of an individual. (See Rights of Individuals).
- To consider the discipline or dismissal of, or to hear complaints or charges brought against a public officer, employee, staff member or individual. (See Rights of Individuals).
- To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel.
- To discuss the deployment of security personnel or devices, e.g., a sting operation.
- To investigate charges of criminal misconduct or to discuss the filing of criminal complaints.
- To consider the purchase, exchange, taking, lease, or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body.
- To comply with the provisions of any general or special law or federal grant-in-aid requirements (generally privacy).
- To hold an initial screening, (including interviews if they are part of the initial screening process) by a preliminary screening committee or a subcommittee appointed by the governmental body of candidates for employment if an open meeting would have a detrimental effect in obtaining qualified candidates.
- To meet with a mediator regarding any litigation or decision.

Procedures for Convening Executive Session

- The Session must be convened in open meeting and notice given.
- Chairperson announces the purpose of the Executive Session.
- Majority must vote in recorded roll call for Executive Session.
- Chairperson announces whether the meeting will reconvene in open.
- Votes taken in Executive Session must be recorded roll call votes.

REMOTE PARTICIPATION POLICY

It shall be the policy of the Board of Selectmen to allow remote participation in accordance with the requirements of Massachusetts Open Meeting Law 940 CMR 29.00, section 29.10, for all subsequent meetings of all Boards, Committees and Commissions in the Town of Chatham, from July 1, 2015 through June 30, 2016, the so called “extended trial period”.

Minimum Requirements for Remote Participation.

- a. Members of each Board, Committee, and Commission shall vote on the adoption of the Remote Participation Policy for their Board/Committee/Commission.
- b. Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other;

A quorum of the body, including the chair or, in the chair’s absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c. 30A, sec 20(d);

Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, sec. 23D.

Permissible Reasons for Remote Participation

- a. Personal illness;
- b. Personal disability;
- c. Emergency;
- d. Military Service; or
- e. Geographic distance.

Technology

- a. Remote participation media will be by telephone or internet enabled audio/video conferencing.
- b. When video technology is in use, the remote participant shall be clearly visible and audible to all persons present in the meeting location.
- c. The public body will determine the media used by its members.
- d. The person chairing the meeting may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant’s ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

Procedures for Remote Participation

- a. Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair’s absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request. The chair /acting chair shall notify the Information Technology Director for remote participation room set- up at least 24 hours prior to the scheduled meeting.
- b. At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10(5) for his or her remote participation. This information shall also be recorded in the meeting minutes.
- c. All votes taken during any meeting in which a member participates remotely shall be by roll call vote.
- d. Costs such as phone or internet charges to the member for remote participation shall be borne by the remotely participating member.
- e. A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority vote of the public body.

When feasible, the chair or, in the chair’s absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, sec. 22.

The Board of Selectmen may revoke Remote Participation in the same manner as it was adopted.

TOWN COUNSEL ACCESS – BOARD OF SELECTMEN POLICY

Purpose:

- A. To ensure that access to Town Counsel is controlled in order to maintain a record of legal opinions and advice.
- B. To ensure that budgetary limitations are maintained.

Policy:

- A. Access to Town Counsel shall be administratively managed by the Town Manager.
- B. All efforts shall be made to identify answers to routine legal questions independently through examination of MA General Laws, local bylaws, regulations and/or by contacting a State agency or counterpart in another community.
- C. Members of the Board of Selectmen and the Town Manager are authorized to contact Town Counsel with requests for opinions and advice on any/all matters related to their administrative powers and duties as granted by the Town of Chatham Home Rule Charter, as amended. For tracking purposes, all requests for opinion and/or use of Town Counsel services by members of the Board of Selectmen and Town Manager shall follow the same process as all appointed Town Boards, Committees, Commissions, and employees.
- D. All requests for opinion and/or use of Town Counsel services shall be made using the form attached. Both paper and digital submissions of this form are acceptable.
- E. Requests for opinion and/or use of Town Counsel services by any appointed Town Board, Committee, or Commission shall be directed to the Town Manager by the Board, Committee, or Commission's staff liaison for approval. Any requests for opinion and/or use of Town Counsel services by any appointed Town Board, Committee, or Commission shall be by majority vote of the Board, Committee, or Commission members. Requests will be forwarded in writing, using the form provided, with as full an explanation of the issue as possible.
- F. Requests for opinion and/or use of Town Counsel services by any Town employee will be directed to the Town Manager by the employee's Department Head for approval. Requests will be forwarded in writing, using the form provided, with as full an explanation of the issue as possible.
- G. The Town Manager shall review all requests for access made by employees, appointed Town Boards, Committees, or Commissions.
 - If approved by the Town Manager, the request for opinion will be forward to Town Counsel. Town Counsel's written opinion will be returned to the Town Manager who will make a record of such opinion before forwarding to the employee, appointed Town Board, Committee, or Commission through the appropriate Department Head or staff liaison. The Town Manager may, at his/her discretion, arrange further limited and defined access to Town Counsel by the employee, appointed Town Board, Committee, or Commission on the issue, if warranted.
 - If denied by the Town Manager, the request will be returned to the employee, appointed Town Board, Committee, or Commission with a written explanation of the denial.
- H. Requests for the initiation or defense of litigation require the approval of the Board of Selectmen or by the Chairman of the Board of Selectmen in instances requiring expeditious action by the Town. In either case a written record of the approval will be maintained by the Town Manager.

This policy does not in any way prevent employees from access to Town Counsel for purposes covered under MGL Ch. 268A, Section 22:

Any municipal employee shall be entitled to the opinion of the corporation counsel, city solicitor or town counsel upon any question arising under this chapter (Conduct of Public Officials) relating to the duties, responsibilities and interests of such employee. All requests for such opinions by a subordinate municipal employee shall be made in confidence directly to the chief officer of the municipal agency in which he is employed, who shall in turn request in confidence such opinion of the corporation counsel, city solicitor or town counsel on behalf of such subordinate municipal employee, and all constitutional officers and chief officers or heads of municipal agencies may make direct confidential requests for such opinions on their own account. The town counsel or city solicitor shall file such opinion in writing with the city or town clerk and such opinion shall be a matter of public record; however, no opinion will be rendered by the town counsel or city solicitor except upon the submission of detailed existing facts which raise a question of actual or prospective violation of any provision of this chapter.

TOWN COUNSEL ACCESS REQUEST FORM

Request to Town Manager for Legal Services Town of Chatham

Name of Applicant _____ Title _____

Committee or Department _____

Have you tried to identify the answer to your question independently through examination of MA General Law, bylaws, regulations or by contacting a State agency or your counterpart in another community?

☐ Yes

☐ No

Description of Request

(Please include such information as "Request for Legal Opinion" or "Relates to pending litigation". Is this request from a Committee, or is it an individual Committee member's concern? Is the request of high or low priority, and why? Please attach all relevant documentation.)

Time Frame

By what date is a response needed? Date: _____

Please explain.

(For Use By Town Manager's Office)

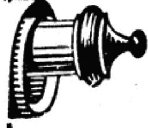

The above request for legal services was:

() Forwarded to Town Counsel on (Date) _____

() Returned to Applicant on (Date) _____

Reason: _____

Jill R. Goldsmith



The officers of the village chosen in March 1712, the last officers of Monomoit, were Ebenezer Hawes, John Smith, and John Atkins, Selectmen; Thomas Atkins, Clerk; Nathaniel Covell, Treasurer; Nathaniel Nickerson, Constable; Samuel Nickerson, Tithingman, Joseph Eldredge, Grandjurymen; and the same Surveyors as in 1711.

The hearing appointed for May, 1712, did not take place until June 7, and two days later the House of Representatives by formal vote refused to grant the prayer of the petition.

Some kind of an understanding was, however, reached, for on June 11 the following order was passed in the Council, concurred in by the House, and signed by Governor Dudley:

Ordered that the Village or District now called Monomoit be erected into a Township and the Town named Chatham."


Selectmen Thomas Atkins, John Atkins, and Ebenezer Hawes; Clerk Thomas Atkins; Treasurer Richard Sears; Constable John Smith; Grandjurymen Nathaniel Covell, Tithingman Samuel Tucker; Surveyors Daniel Hamilton and Isaac Hawes.

These were the first officers of the Town.

— A History of Chatham Massachusetts
Formerly the Constablewick or Village of Monomoit

by William C. Smith (1909)





Town of Chatham Massachusetts
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